

FREDERICK COUNTY PLANNING COMMISSION

**FEBRUARY 25, 2008**

**MINUTES**

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**COMMISSION MEMBERS PRESENT:**

Joseph Brown  
Richard Floyd  
Kai Hagen, Liaison to BoCC  
Catherine Forrence, Vice Chair

John McClurkin  
Audrey Wolfe, Chair  
Robert White, Secretary

**COMMISSION MEMBERS ABSENT:**

**PLANNING STAFF PRESENT:**

Eric Soter, Director  
Mark Depo, Deputy Director  
Jim Gugel, Chief Comp. Planner  
Kathy Mitchell, County Attorney

Amber DeMorett, GIS Manager  
Denis Superczynski - Planner  
John Thomas, Planner  
Tim Goodfellow, Planner

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**9:30 A.M.**

MORNING SESSION

**MS. WOLFE BROUGHT THE MEETING TO ORDER AT 9:30 AM.**

**1. MINUTES..... APPROVAL**

None

**2. PLANNING COMMISSION.....COMMENTS**

None

**3. AGENCY COMMENTS/AGENDA.....BRIEFING**

Director Soter commented on yesterday's work session with the BoCC regarding the AG/RC Zoning Text Amendment. Planning Staff has been directed to separate the Wind/Solar Energy systems from the Camps and Retreats section. Both will move through the Public Hearing process with workshop or informational sessions being conducted where needed. He also noted that the Places of Worship section had been separated out completely.

Commission White asked about opening the Monrovia Drag Racing operation. He questioned approval process that would be required. Director Soter noted that the Zoning Staff was in the process of reviewing.

**4. COUNTYWIDE COMPREHENSIVE PLAN ..... INFORMATIONAL**

**Workshop #22:** Continuation of the Countywide Comprehensive Plan Update (Jim Gugel)  
Meeting scheduling was discussed including a joint meeting with Frederick City Planning Commission to be held on March 25 and confirming April 1 as work session.

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PLEASE NOTE BOTH AUDIO AND VIDEO TAPES ARE AVAILABLE UPON REQUEST.

## **A. REVIEW OF DRAFT COMMUNITY GROWTH AREA LAND USE PLANS:**

### **a) MIDDLETOWN REGION**

#### **i. Middletown**

Planner Goodfellow gave an overview of four existing growth areas in the Middletown Region including the as-shown on the 1997 Region Plan and the proposed working draft. He showed the separation of the areas, the growth boundary changes, and how they had tightened the boundary to better follow the property lines. Also described were plan designation changes.

Discussion included the goal of recognizing and following actual parcel lines for boundaries. Middletown Administrator Bowen noted four parcels of land included on their working draft growth plan - that are in Ag Preservation - so they could acquire water rights without needing to impact development.

Chief Planner Gugel noted regarding the annexation process of the town, plan designation changes will be the primary development staging mechanism as to determine how quickly things are developed. "That will be the towns call and responsibility not the County's" he noted. Also discussed were water recharge areas, dealing with a confined aquifers, imbalance of water, states responsibility, selling water rights, town's plans to acquire water, and developers responsibility.

Also discussed was the town's growth policy, APFO, zoning designations, appropriate density. Dissatisfaction about using Ag Preservation ground and for recharge calculation was noted. Commissioner Brown noted they were really looking at two different concepts 1) the growth limit map of the town to grow with housing, and 2) a water resources map. He felt they should show/be treated as two different maps going forward. Chief Planner Gugel pointed out that the recharge areas were not intended to be actual location for community wells; he also expressed the need to have consistent guidelines for designations.

**\*\*\* 10:45 BREAK - 10:58 RECONVENED \*\*\***

#### **ii. Myersville**

Planner Goodfellow presented an overview of the town's growth map. He explained that working draft plan mirrored the 1997 Region Plan with few changes noting the tightening done to the follow property lines and the designation changes. He further emphasized that the County was not proposing any significant changes to the boundaries. Middletown/Myersville Town Planner Unangst distributed the Town's draft map and fielded questions from FcPc. She noted that Mr. Easterday is interested in 20 year annexing to town and has been shown in their growth boundary.

#### **iii. Braddock Heights**

Planner Goodfellow presented an overview of the town's growth map noting that the County was proposing some significant changes. Designation changes to Rural Community in the core of the town were noted as well as the area to the north and the south of "core" Braddock Heights. He expressed that water was a concern. This area is not considered a Growth area. Specific site and the zoning of their locations were discussed. Commissioner Floyd felt they should attempt to preserve the Braddock Height's autonomy. Planner Goodfellow noted that, with past region plans, the Commissioners did make a policy decision to limit (not designate) undeveloped areas for well and septic growth and development.

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**iv. Fountaindale**

Fountaindale, unlike Braddock Height, has both public water and sewer. Fountaindale and the existing well and septic subdivisions adjacent to Fountaindale are currently designated Low Density Residential, due to infrastructure limitation – wastewater and water treatment capacity. Planner Goodfellow proposed the designation of the existing Fountaindale water & sewer service area as LDR, noting the surrounding subdivisions are proposed for a rural residential designation. It was also discussed that a community growth boundary around Fountaindale had been delineate to distinguish and separate it from the Middletown Community. It was noted that the 1997 Middletown Region Plan grouped Fountaindale & Surrounding areas tighter with the larger Middletown Community.

**b) URBANA REGION**

**i. Urbana, and**

**ii. I-270 Employment Corridor**

Planner Superczynski presented the proposed boundary changes and noted that they brought the growth line back to the way it was in 1993 – 2004 on the north. He described how the growth line was proposed to change on the other sides. Chief Planner Gugel noted the growth area reflects the current PUD growth area and is consistent with the water sewer service area. Discussed were the various zoning classifications and justification for where they were used. LI, MXD and ORI were among those discussed. Also discussed were the airstrip, park area, schools, more development, interchange symbol, Priority Funding Area Issues, and the Hyattstown Interchange (New Rt.75). Chief Planner Gugel noted as part of the fine-tuning of plan designations the Village Center had been converted back to LDR, from Village Center, to maintain consistency with the PUD Zoning.

\*\*\* 11:47 BREAK FOR LUNCH - 1:08 RECONVENED \*\*\*

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**5. APFO LETTER TO BOCC (requested during February 18<sup>th</sup> FcPc Meeting)**

Deputy Director Depo distributed a draft letter to the BoCC regarding extending the APFO extension time period. This letter was drafted at the request, and in response to discussion, of the FcPc at the 2-18-09 meeting. The letter was distributed to FcPc by email for comment and direction clarification. It reflects their direction and recommendations of the FcPc. Discussion ensued. (TS- 04:00:00 – 04:34:00)

All FcPc members concurred with the statement drafted by Planning Staff on behalf of the Planning Commission: “The Frederick County Planning Commission fully supports the Board of County Commissioner’s effort to hear and discuss potential extension provisions for development approvals and expiration dates in light of the current economic downturn.” – *Statement extracted from memo prepared by Staff.*

**MOTION:** Commissioner White motioned to send the letter drafted by staff to the BoCC; the motion was 2<sup>nd</sup> by Commissioner Brown.

**6-0-1-0**

**Yea – 6** (Brown, Floyd, Forrence, McClurkin, White, Wolfe), **Nay – 0, Absent – 1** (Hagen), **Abstain – 0**  
**Motion Carried**

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**4. COUNTYWIDE COMPREHENSIVE PLAN ..... INFORMATIONAL**  
**Workshop #22 - (continued)**

**A. REVIEW OF DRAFT COMMUNITY GROWTH AREA LAND USE PLANS (continued):**

**b) URBANA REGION – (continued)**

**iii. Monrovia**

Planner Superczynski presented proposed changes to Monrovia's boundaries lines and changes to designation area with alternatives. The alternatives were discussed including the rationale behind the changes to the town center area, age restricted concept changing APFO restrictions, and overall growth area.

**MOTION:** Commissioner White made a motion to continue on with the draft, leave the growth line draft, as they discussed on January 16, 2009.

**4-2-1-0**

**Yea – 4** (Floyd, Forrence, McClurkin, White), **Nay – 2** (Brown, Wolfe), **Absent – 1** (Hagen), **Abstain – 0**  
**Motion Carried**

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**c) NEW MARKET REGION**

Planner Goodfellow distributed an email sent to the FcPc this morning from the Mayor of New Market and went on to present the area within the region.

**i. Mt. Airy**

He advised the commission that the growth area had been changed to exclude the forested RC designated area near 84 Lumber.

**ii. Holly Hills**

Planner Goodfellow noted the only change made was changing to an area to agricultural/rural on the comprehensive plan and excluding it from the growth area, as had been requested by FcPc.

**iii. New Market**

Changes to the growth boundary were noted. The letter from the Mayor of New Market was discussed. Commissioner Brown commented that he felt that if the town wanted the by-pass it should be put on the map. There was discussion surrounding traffic studies and housing. Conflicting opinions were expressed. Bruce Galloway, New Market's Town Planner, commented on the traffic studies conducted and mobility (as opposed to car traffic). He said he would have the traffic studies forwarded.

Director Soter noted there was a CIP project regarding an analysis of an alternative route between Bowers Mill Road and Rt. 75.

**PUBLIC COMMENT:**

- Bob Mokey – Rodgers Consulting

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- iv. **Spring Ridge/Bartonsville, and**
- v. **Linganore**

Planner Goodfellow noted that the two growth areas of Linganore and Spring Ridge/Bartonsville had been made distinct community boundaries as requested by the FcPc. The changes to the boundary were also noted and discussed.

County Attorney Mitchell clarified the status of the Monrovia Town Center. The Planning Commission approved the Monrovia Town Center's APFO and the Phase II on January 16, 2008 - they are considered approved as of that date. There was discussion continued and included Developer Option Letter, it being an offer, down-zoning, and MD Law. County Attorney Mitchell noted that until [the Developers] have recorded lots, building permits, and have started construction (footer in the ground) they are subject to re-zoning according to MD Law. She also discussed the APFO approval process – being reviewed by W&S, the Traffic Engineer and Board of Education if it involves residential and additional details noting 1-20-8C, 1-20-8D, and 1-20-9A, C, and D.

\* \* \* BREAK - RECONVENED \* \* \*

## **B. REVIEW OF CHAPTER DRAFTS**

### **a) Chap. 7 - Getting Around - Providing Transportation Choices - John Thomas**

#### **i. Background and Trends**

The chapter was reviewed and statements were modified, items were added and bullets were stricken. Additionally, based on comments and discussions some Action Items were put back in to the text. Areas were tightened where they could be. Committee gave discretion to Staff to modify. Eric asked that members email if they had any items that they felt needed action.

Director Soter noted that the agenda items for next week's meeting would be hand delivered by Friday.

\* \* \* MEETING ADJOURNED \* \* \*

Respectfully Submitted,

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Audrey Wolfe, Chair

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